

**Officer Involved Shooting of Qasim Knox
Los Angeles Police Department**

**Detective Robert Kraus #27325, Detective Victor Ross #25466,
Officer David Keortge #30896, Officer Joe Dominguez #31216**

Hawthorne Police Department

**Sergeant Larry Grajeda #231, Officer Anthony Barlin #376,
Officer Matthew Manley #301**

J.S.I.D. File #17-0335



JACKIE LACEY

District Attorney

Justice System Integrity Division

July 31, 2019

MEMORANDUM

TO: CHIEF MICHAEL ISHI
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Hawthorne, California 90250

COMMANDER ROBERT E. MARINO
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Force Investigation Division
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Los Angeles, California 90012

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Officer Involved Shooting of Qasim Knox
J.S.I.D. File #17-0335
F.I.D. File # F050-17

DATE: July 31, 2019

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the June 29, 2017, non-fatal shooting of Qasim Knox by Los Angeles Police Department (LAPD) and Hawthorne Police Department (HPD) officers. We have concluded that the officers acted lawfully in self-defense, the defense of others, and in the lawful pursuit of a fleeing felon.

The District Attorney's Command Center was notified of the shooting at approximately 12:50 p.m., on June 29, 2017. The District Attorney Response Team responded to the location. They were given a briefing regarding the circumstances surrounding the shooting and a walk-through of the scene.

The following analysis is based on investigative reports, audio recordings and transcripts of interviews, firearm analysis reports, medical records, crime scene diagrams and sketches, photographic and video evidence, and witness statements submitted to this office by the LAPD Force Investigation Division (FID). Compelled statements from the involved LAPD officers were considered as part of this analysis. No compelled statements from the involved HPD officers were considered as part of this analysis.

FACTUAL ANALYSIS

In May 2017, LAPD's South Bureau Homicide Division requested assistance from Robbery Homicide Division's Special Investigations Section (SIS) regarding a murder that occurred on

March 31, 2017. Four suspects, Devonta Willis, Christopher Nicholson, Reginald Williams and Qasim Knox, were ultimately identified as suspects in the homicide.

SIS plainclothes detectives initiated surveillance on three of these suspects, Willis, Nicholson and Knox. The fourth suspect, Williams, was in custody on an unrelated charge. SIS Detective Christopher Luna assessed each of the three suspects, and concluded that Knox possessed the highest propensity for violence based upon his active membership in the Fruit Town Brim gang, criminal history, his violation of his active parole conditions by having ammunition in his bedroom, absconding from parole, and his frequent posts of photographs of himself in possession of firearms on Facebook.¹ Due to Knox's history of violence and continued display of armament, Luna determined that SIS would apprehend the other two suspects first, and save Knox for last.²

Knox had been observed by SIS detectives driving a blue Nissan Rogue on Monday, June 26, 2017, and search warrants were obtained to ping Knox's cellphone and place a Global Positioning System (GPS) tracking device on the vehicle. A tracker was placed on the Nissan Rouge to assist detectives in apprehending Knox.

On Wednesday, June 28, 2017, Knox posted photographs and videos of himself in possession of a pistol. SIS Detective Daniel Nee decided to place all SIS resources towards the apprehension of Knox. Members of the Gang and Narcotics Division Fugitive Taskforce were assigned to arrest Nicholson and Willis, who were both apprehended the following morning.

On Thursday, June 29, 2017, at approximately 3:00 a.m., Luna monitored Knox's GPS tracker. The tracker placed Knox's vehicle at 11714 South Avalon Boulevard. Luna also obtained the latest social media information for Knox, and observed that Knox had posted a photograph of himself with three handguns protruding from his waistband at approximately 2:50 p.m. on June 28, 2017. Luna placed the photograph in the SIS Surveillance Worksheet.

At approximately 5:00 a.m., Nee and Luna conducted a briefing at Southeast Station for all personnel involved in the operation to apprehend Knox. Luna provided all attendees with the SIS Surveillance Worksheet, and discussed background information on Knox and the murder with the group. Nee advised that the tactical plan was to conduct surveillance of Knox's residence and vehicle, positively identify Knox and then apprehend him. If Knox were to enter the vehicle and drive away, SIS detectives would attempt to conduct a Vehicle Containment Technique (VCT) to stop the vehicle.³ If that was not feasible or failed, uniform SWAT officers would be called in to conduct a felony traffic stop and take Knox into custody. LAPD SIS Detectives Robert Kraus and Victor Ross were present at this briefing. Metropolitan Division Special Weapons and Tactics (SWAT) Officers David Keortge and Joseph Dominguez were also present at the briefing.⁴ In

¹ Facebook is a social media platform which allows users to post photographs, videos and statements, as well as share media content with other users.

² A probable cause arrest warrant was issued for Knox on June 28, 2017, signed by the Honorable Alison M. Estrada.

³ The VCT is a tactic used by members of SIS to affect the arrest of a suspect who is in a moving vehicle. The VCT is deployed by SIS personnel, utilizing their assigned LAPD vehicles, to contain the suspect's vehicle and prevent escape, minimize the likelihood of a pursuit and reduce the potential threat to public safety.

⁴ [REDACTED]

addition to the briefing, Kraus contacted Air Support Division (ASD) and briefed their personnel on the operation, requesting their assistance. At the conclusion of the briefing, SIS detectives drove to 11714 South Avalon Boulevard, where they set up containment. SWAT officers staged nearby, monitoring the SIS frequency for updates. Metropolitan Division K-9 units were briefed and also joined the operation.

At 9:20 a.m., SIS Detectives Diana Herron and Corbin Rheault observed the suspect vehicle back out of the driveway of 11714 South Avalon Boulevard. Due to the vehicle's position, detectives were unable to identify the driver. They broadcast the information and followed the vehicle. Kraus notified ASD of the vehicle's movement, and requested that they respond.

As the vehicle was driven away from the location, it immediately began travelling at a high rate of speed, not stopping for stop signs or red lights, and making numerous high-speed turns and U-turns. At one point of the surveillance, SIS Detectives David Friedrich and Christopher Brazzill observed the driver's face and positively identified him as Knox. Friedrich determined Knox was the sole occupant of the vehicle, and broadcast this information to all involved units. Based upon the erratic way the vehicle was being driven, Nee concluded Knox was conducting counter-surveillance measures to determine whether or not he was being followed, and the VCT was no longer a viable option. Nee directed SWAT officers to conduct a high-risk traffic stop.

SWAT Officers Charles Joh and Canaan Bodell responded to Nee's request to conduct a traffic stop. ASD directed Joh and Bodell to the mouth of a dead-end street, located south of the Interstate 105 freeway and North of Imperial Highway, where Knox's vehicle had been observed. K-9 Officer Aaron Algren joined them at the location. As Knox turned his vehicle and drove south toward Bodell and Joh, they activated their emergency lights to identify themselves as police officers. Knox maneuvered around their vehicle and continued southbound from the dead-end street. Bodell and Joh initiated a vehicle pursuit at the intersection of Ramona Avenue and 120th Street in the City of Hawthorne.⁵ The pursuit terminated abruptly when Knox stopped his vehicle on Aviation Boulevard, south of El Segundo Boulevard. ASD Tactical Flight Officer Andrew Nunez observed Knox stop the vehicle, exit and flee eastbound on foot. No police vehicles were directly behind Knox's vehicle at that time to observe Knox's actions. Nunez observed Knox running east toward a six-foot high brick wall that ran adjacent to Aviation Boulevard. Nunez saw Knox throw a firearm over the wall before climbing the wall and retrieving it on the other side.⁶ Knox walked to several buildings inside the condominium complex located on the other side of the brick wall. Nunez continuously communicated Knox's movements to the units monitoring the SIS frequency.

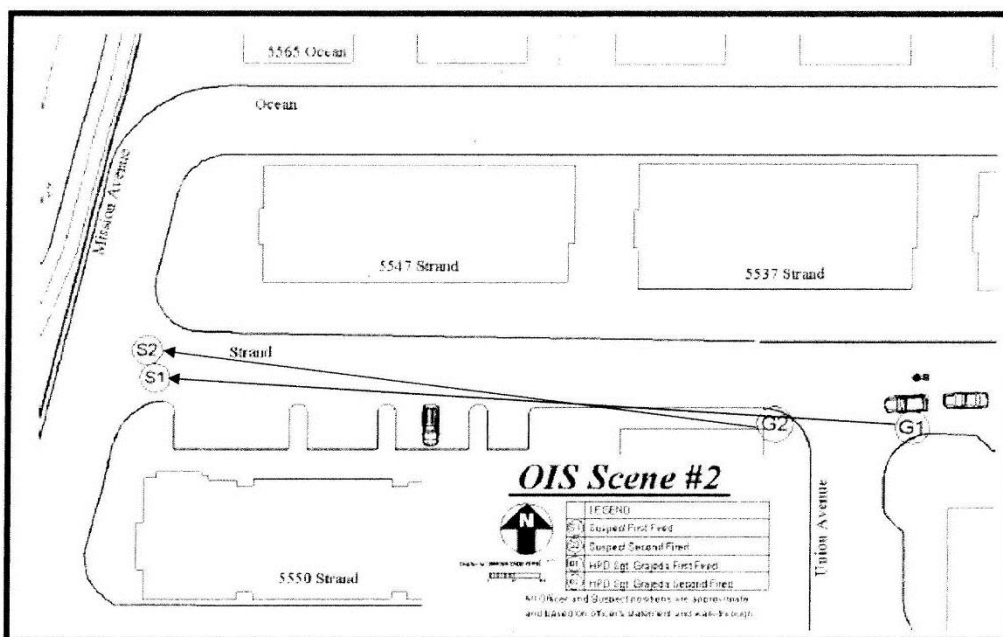
[REDACTED]

⁵ ASD notified HPD that LAPD was pursuing a murder suspect at the location and HPD officers were needed to take over the pursuit.

⁶ A second firearm was later recovered on the ground next to the west side of the brick wall.

Nunez observed Knox on Coral Drive firing a pistol in a southerly direction. Knox then ran west on Coral drive, back toward the brick wall, and north on Mission Avenue. Nunez broadcast Knox's movements to the responding units, including HPD. HPD units drove south from El Segundo Boulevard, through the Isis Avenue gate and west onto Strand. As the HPD officers drove west toward Mission Avenue, Nunez observed Knox walking north with a pistol in his hand on Mission Avenue approaching Strand. Nunez advised the HPD units that Knox was armed with a pistol, and advised the HPD officers traveling west on Strand to stop at Union Avenue and take cover.

HPD Sergeant Larry Grajeda and Officers Anthony Barlin and Matthew Manley responded to Union Avenue and Strand. As Knox reached the middle of the intersection of Mission Avenue and Strand, he fired his pistol four times at Grajeda, Manley and Barlin. Under fire from Knox, Grajeda fired three rounds from his service weapon, Barlin fired three rounds from his service weapon, and Manley fired two rounds from his service weapon.⁹



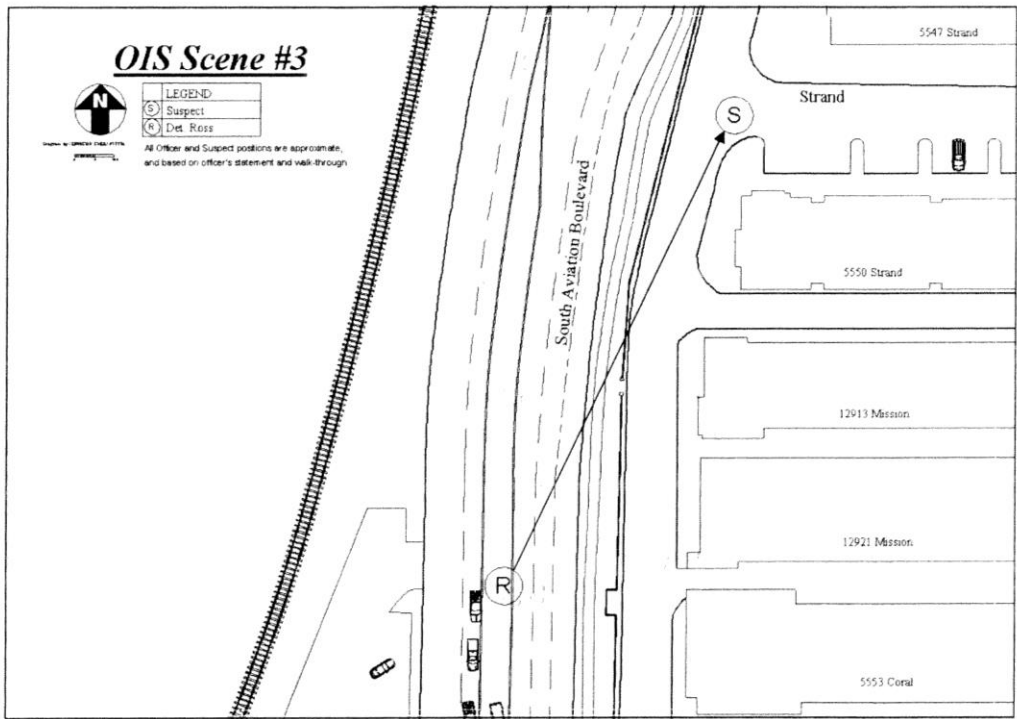
Approximate position of Grajeda and Knox at the time of the shooting

[REDACTED]. Ross parked his vehicle behind Knox's vehicle. Bodell and Joh were already at the location. Ross and Worrell exited their vehicle and retrieved their rifles from the backseat. Nee and Kraus arrived, and all six officers took cover. [REDACTED]. Ross and Worrell looked northeast of their location and observed a six-foot high brick wall with a pedestrian gate that ran

⁹ Grajeda provided a statement to LAPD. HPD conducted their own administrative investigation. No compelled statements from HPD personnel were provided to LAPD. Additionally, Grajeda and Manley's Digital In-Car Video System (DICVS) captured the shooting and were consistent with Grajeda's statements, as was Body-Worn Video (BWV) from all three officers. Knox also posted live-stream video of this shooting on Facebook, which was recovered by investigators.

adjacent to Aviation Boulevard from El Segundo Boulevard to Boardwalk Avenue. Ross, Worrell, Kraus, Nee, Bodell and Joh moved northeast toward the gate.

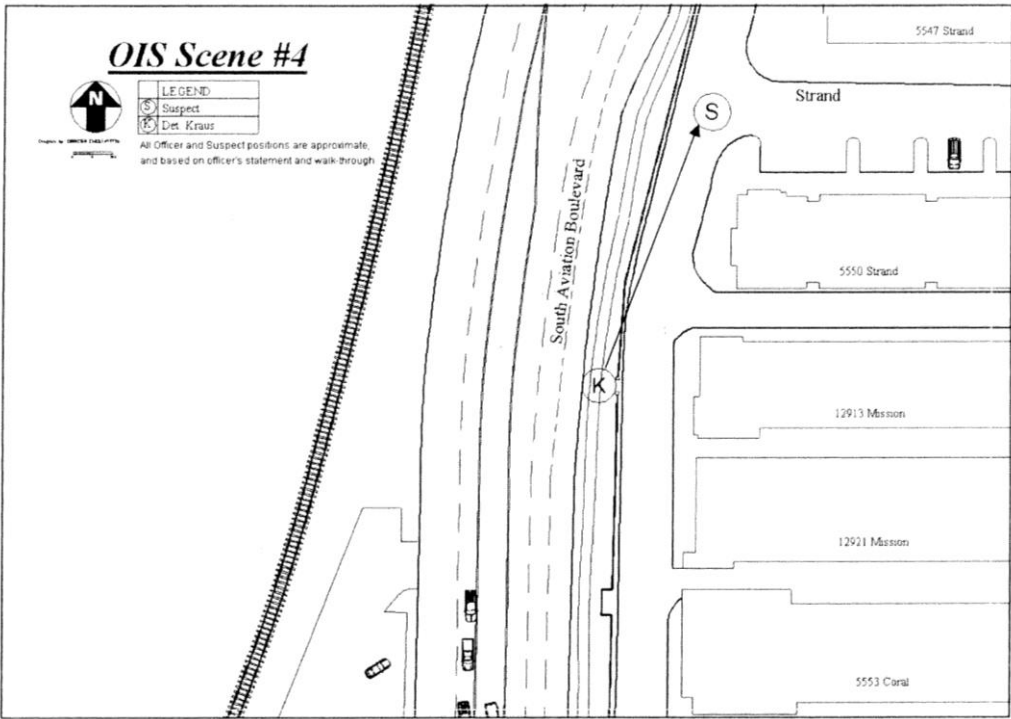
[REDACTED]



Approximate position of Ross and Knox at the time of the shooting

[REDACTED]

¹⁰ El Segundo Police Department Officer Brain Slover's DICVS captured this shooting, which was consistent with Ross' statements.



Approximate position of Kraus and Knox at the time of the shooting

Nee made several unsuccessful attempts to open the pedestrian gate. Kraus allowed Nee to use his back as a step, and Nee climbed over the wall and opened it from the other side. Kraus, Ross, Worrell, Bodell and Joh entered through the gate and moved north in the street on Mission Avenue. Nee was initially unable to see Knox on the other side of Strand, but as they got closer to Strand, Nee observed Knox staggering north. Knox eventually sat down on the ground facing south. Nee ordered Knox to lie down on his stomach and place his hands where Nee could see them. Knox initially laid on his stomach with his left hand visible, and his right hand under his chest, but eventually complied and placed his right hand away from his body where it could be seen. Nee approached Knox and handcuffed him. Nee then requested paramedics for Knox. Knox was transported to Harbor UCLA Medical Center

[REDACTED]

11 [REDACTED]

12 [REDACTED]

A 9mm Luger caliber, Smith & Wesson, model 915 pistol was recovered from the bushes west of 5547 Strand Avenue, Unit 1.¹³ The muzzle was pointed upward, an extended magazine was seated in the magazine well, the hammer of the pistol was cocked and the safety was off. Seven bullets were in the magazine and one bullet was in the chamber. Subsequent ballistics testing determined that four cartridge casings recovered from the pavement on Strand and Mission Avenue, as well as nine cartridge casings recovered from the pavement on Coral Drive were fired by this weapon.



Pistol recovered from bushes where Knox tossed it while running on Ocean Avenue

A second pistol, a 9mm Luger caliber, Beretta, was recovered in the shrubbery on the west side of the brick wall adjacent to Aviation Boulevard.¹⁴ The pistol was lying on its left side with the muzzle pointing south with the hammer down and the safety on. The pistol's magazine well was empty and no magazines were located at the scene.

¹³ Nunez observed Knox toss the firearm in these bushes as he ran toward Ocean Avenue after the officer involved shooting.

¹⁴ The pistol was recovered in close proximity to the location where Knox jumped over the brick wall. Swabs taken from the pistol were found to contain DNA which matched Knox's profile. A fingerprint lifted from the weapon matched prints in the Automated Fingerprint Identification System belonging to Knox.



Pistol recovered from shrubbery in close proximity to where Knox jumped over the brick wall

Knox was charged with one count of murder, five counts of attempted murder on a police officer, and five counts of assault on a police officer with a firearm in case number BA458774. That matter is pending trial.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if the person claiming the right of self-defense or the defense of others actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code § 197; *People v. Randle* (2005) 35 Cal.4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4th 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082; *see also*, CALCRIM No. 505.

In protecting himself or another, a person may use all the force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. CALCRIM No. 3470. If the person's beliefs were reasonable, the danger does not need to have actually existed. *Id.*

A police officer may use reasonable force to effect an arrest, prevent escape, or overcome resistance of a person the officer believes has committed a crime. Penal Code section 835a. An officer "may use all the force that appears to him to be necessary to overcome all resistance, even to the taking of life; [an officer is justified in taking a life if] the resistance [is] such as appears to the officer likely to inflict great bodily injury upon himself or those acting with him." *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1146. A killing of a suspect by a law enforcement officer is lawful if it was: (1) committed while performing a legal duty; (2) the killing was necessary to accomplish that duty; and (3) the officer had probable cause to believe that (a) the decedent posed a threat of serious physical harm to the officer or others, or (b) that the decedent had committed a forcible and atrocious crime. CALCRIM No. 507, Penal Code section 196. A forcible and atrocious crime is one which threatens death or serious bodily harm. *Kortum v. Alkire* (1977) 69 Cal.App.3^d 325, 333.

An officer has “probable cause” in this context when he knows facts which would “persuade someone of reasonable caution that the other person is going to cause serious physical harm to another.” CALCRIM No. 507. When acting under Penal Code section 196, the officer may use only so much force as a reasonable person would find necessary under the circumstances. *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1147. And he may only resort to deadly force when the resistance of the person being taken into custody “appears to the officer likely to inflict great bodily injury on himself or those acting with him.” *Id.* at 1146; quoting *People v. Bond* (1910) 13 Cal.App. 175, 189-190. The prosecution has the burden of proving beyond a reasonable doubt that a killing was not justified. CALCRIM Nos. 505, 507.

“Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh in too nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety.” *People v. Collins* (1961) 189 Cal.App.2d 575, 589. “The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than the 20/20 vision of hindsight. ...The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation.” *Graham v. Connor* (1989) 490 U.S. 386, 396-397.

California law also permits the use of deadly force by police officers when necessary to affect the arrest of a person who has committed a forcible and atrocious felony which threatens death or serious bodily harm. *People v. Ceballos* (1974) 12 Cal.3d 470. Forcible and atrocious crimes are those crimes whose character and manner reasonably create a fear of death or serious bodily injury. *Ceballos, supra*, 12 Cal.3d at 479. “An officer may use reasonable force to make an arrest, prevent escape or overcome resistance.” *Brown v. Ransweiler* (2009) 171 Cal.App.4th 516. When protecting the public peace, a police officer “is entitled to even greater use of force than might be in the same circumstances required for self-defense.” *Id.*

In the instant matter, Knox was the subject of an arrest warrant for murder. All of the involved LAPD officers had been briefed regarding his propensity for violence, and were aware that he was likely armed with a firearm when the pursuit began. Knox drove in a manner consistent with attempting to avert capture, then proceeded to flee from officers on foot into a dense residential area while armed with two firearms.

When Keortge and Dominguez fired their service weapons at Knox, they were under fire from him and justified in doing so in self-defense and defense of each other. When Grajeda, Barlin and Manley encountered Knox, they were also fired upon prior to reasonably returning fire in self-defense and defense of each other. [REDACTED]

[REDACTED]

CONCLUSION

We find that Sergeant Larry Grajeda, Detectives Robert Kraus and Victor Ross, and Officers David Keortge, Joseph Dominguez, Anthony Barlin and Matthew Manley acted lawfully in self-defense, the defense of others, and in pursuit of a fleeing felon when they used deadly force against Qasim Knox. We are closing our file and will take no further action in this matter.